

TN RE: PETITION FOR ADMIN. VARIANCE SE/S Cedar Road, 450' S of the c/l of North Point Road (7612 Cedar Road) 12th Election District 7th Councilmanic District Bernard W. Cumberland, et ux Petitioners	* BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 97-32-A *
---	---

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 7612 Cedar Road, located in the vicinity of North Point Road in Dundalk. The Petition was filed by the owners of the property Bernard W. and Julie L. Cumberland. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 inches in lieu of the minimum required 2.5 feet for an existing accessory structure (swimming pool and attached deck). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The subject property having been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date _____

By _____

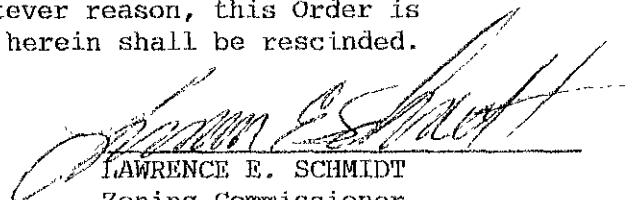
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of August, 1996 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 inches in lieu of the minimum required 2.5 feet for an existing accessory structure (swimming pool and attached deck), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
5/20/96
bjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 20, 1996

Mr. & Mrs. Bernard W. Cumberland
7612 Cedar Road
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/S Cedar Road, 450' S of the c/l of North Point Road
(7612 Cedar Road)
12th Election District - 7th Councilmanic District
Bernard W. Cumberland, et ux - Petitioners
Case No. 97-32-A

Dear Mr. & Mrs. Cumberland:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

✓
File

RECEIVED
AUG 23 1996





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

7612 CEDAR RD. 21222

which is presently zoned

DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1

To allow an accessory structure (pool & deck) with a setback of 10 inches in lieu of the minimum required setback of 2.5 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

CONSTRUCTED A FREE-STANDING DECK NEXT TO SWIMMING POOL AND 10" FROM PROPERTY LINE

- NEIGHBOR WHERE DECK IS 10". HAS NO OBJECTIONS TO STRUCTURE.
- REMOVAL OF DECK WOULD BE A FINANCIAL BURDEN AS WELL AS RECREATION AREA FOR KIDS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

BERNARD W CUMBERLAND
(Type or Print Name)

Signature

JULIE L. CUMBERLAND
(Type or Print Name)

Signature

7612 CEDAR RD. 410 284-8443
Address Phone No

BALTO MD. 21222
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY:

DATE

7-20-96

ESTIMATED POSTING DATE:

8-4-96



Printed with Soybean Ink
on Recycled Paper

ITEM #:

411

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7612 CEDAR ROAD
address

BALTIMORE MD. 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- FREESTANDING WOOD DECK 10" FROM PROPERTY
LINE.
- NEIGHBOR WHERE DECK IS 10" FROM PROPERTY LINE HAS
NO OBJECTIONS WITH STRUCTURE.
- REMOVAL OF DECK WOULD CAUSE A FINANCIAL BURDEN
AS WELL AS LOSS OF RECREATION AREA FOR KIDS.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Bernard Cumberland
(signature)
BERNARD CUMBERLAND
(type or print name)



Julie Cumberland
(signature)
JULIE CUMBERLAND
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of JULY, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Bernard Cumberland Julie Cumberland

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7/26/96
date

James A. Cavonius
NOTARY PUBLIC

My Commission Expires: 9/1/99



Baltimore County
Department of Permits and
Development Management

97-55
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 41 Petitioner: BERNIE CUMBERLAND

Location: 7612 CEDAR RD BALTO. MD 21222

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BERNIE CUMBERLAND

ADDRESS: 7612 CEDAR ROAD BALTO MD 21222

PHONE NUMBER: (410) 289-2443



RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-32-A (Item 41)
7612 Cedar Road
SE/S Cedar Road, 450' +/- S of c/l North Point Road
12th Election District - 7th Councilmanic
Legal Owner(s): Bernard W. Cumberland and Julie L. Cumberland

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before August 4, 1996. The closing date (August 19, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Bernard and Julie Cumberland

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 12, 1996

Mr. and Mrs. Bernard W. Cumberland
7612 Cedar Road
Baltimore, MD 21222

RE: Item No.: 41
Case No.: 97-32-A
Petitioner: B. W. Cumberland, et ux

Dear Mr. Cumberland:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

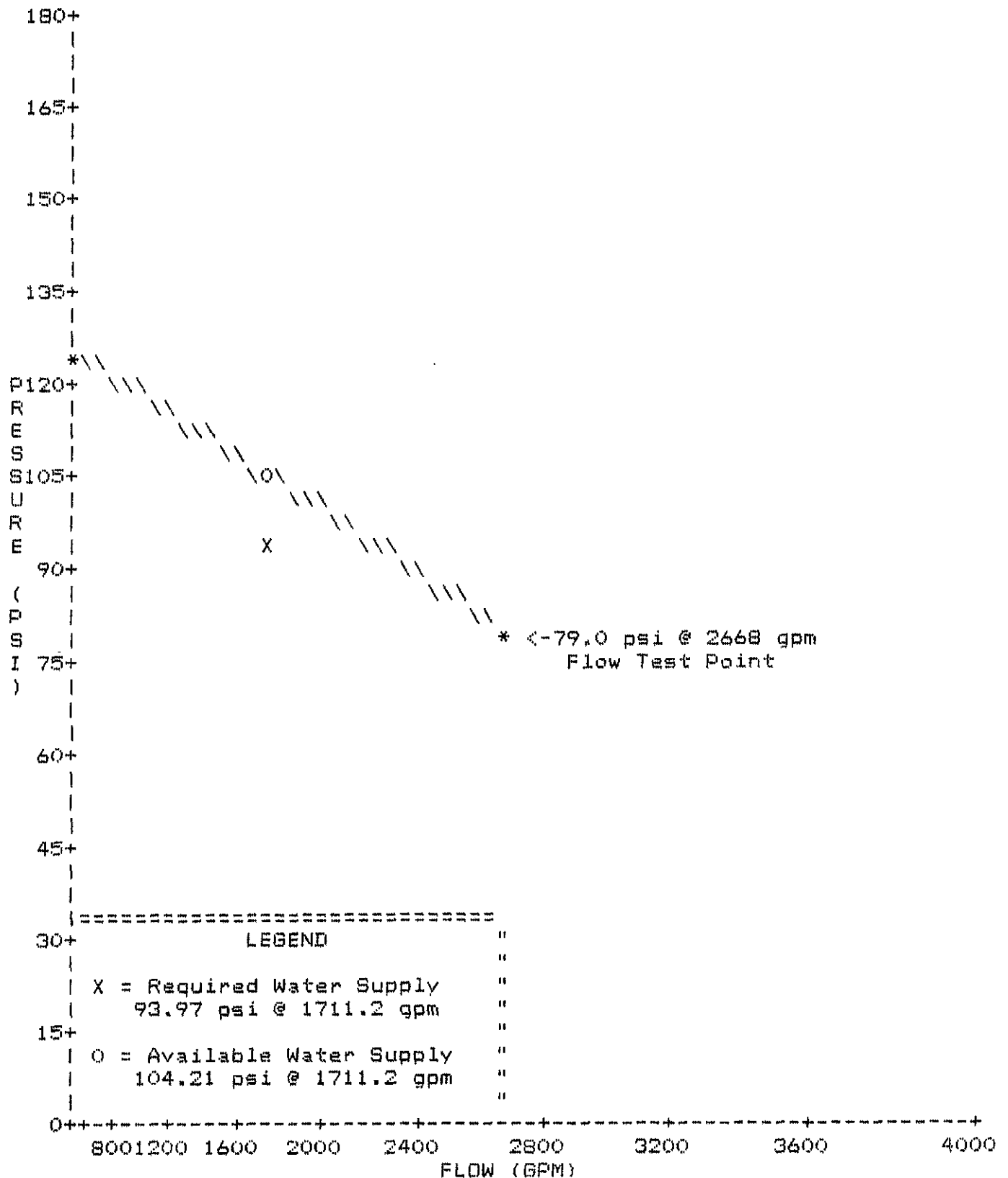
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



JOB TITLE: WHITEMARSH COMMERCE CENTER ROOF SYSTEM #5
 WATER SUPPLY CURVE



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26, 27, 28, 29, 30, 31, 32, 34,
35, 36, 37, 38, 39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



DRAIN WORK SHEET

CONTRACT NO.
J.O. NO.

ITEM NOS.	APPROX. QUANTITIES	DESCRIPTION OF ITEMS AND PRICES BID (IN WRITTEN WORDS)	UNIT PRICE		AMOUNT	
			DOLLS.	CTS.	DOLLS.	CTS.
	10	LINEAR FEET OF REMOVAL AND DISPOSAL OF OLD PIPE CULVERTS AND STRUCTURES, ANY SIZE, NOT INCLUDED IN OTHER ITEMS				
		SQUARE YARDS OF REINFORCED CONCRETE, ____ IN. THICK, CLASS ____ PAVED CHANNEL, COMPLETE IN PLACE				
		EACH OF ____ IN. X ____ IN. CUT-IN CONNECTION				
		EACH OF ____ IN. X ____ IN. CUT-IN CONNECTION				
		EACH OF ____ IN. X ____ IN. X ____ IN. CUT-IN CONNECTION				
39472		SQUARE YARDS FILTER FABRIC				
70820		SQUARE YARDS OF SOLID SOODING				
70720		____ OF (163) SEEDING AND MULCHING				
39401		SQUARE YARDS CLASS 1 SLOPE PROTECTION-ROCK				
39434		CUBIC YARDS-CLASS 4 SLOPE OR CHANNEL PROTECTION-STONE FILLED WIRE MESH BASKETS (CLASS 4 GABIONS)				
20282		CUBIC YARDS OF CLASS 2 EXCAVATION				
20535		CUBIC YARDS OF FOR 500 DITCH, ETC. CLASS 5 EXCAVATION				
39412		SQUARE YARDS CLASS 2 SLOPE PROTECTION-ROCK				

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Aug 8, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 26
27
29
30
31
32
34
36
37
40
(41)
42

RBS:sp

BRUCE2/DEPRM/TXTSBP



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204


DIRECTOR


BUILDINGS ENGINEER



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

8-5-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 041 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: August 1, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 18, 26, 29, 31, 32, 34, 35, 36, 37, 39, 40, (41), and 42

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Sam L. Keller

PK/JL

These signs shall be placed in advance of the unmarked zone and at appropriate intervals throughout the unmarked zone where passing is permitted.

(6) High performance wide angle retro-reflective sheeting for signs, fluorescent orange in color, shall be used on projects along interstate highways and other freeways, unless otherwise specified.

(7) Type VI (vinyl microprismatic) retro-reflective sheeting conforming to Federal Highway Administration's Standard Specifications for constructions of Roads and Bridges and ASTM D 4956 is acceptable for use on roll up signs and channelizing devices.

*See Pavement Drop-off Policy.
WORK RESTRICTIONS

(1) The SHA reserves the right to modify and/or expand the methods of traffic control specified and to restrict working hours if, in the opinion of the Engineer, the Contractor's operations are a detriment to the safe and efficient flow of traffic.

(2) Work is not permitted on Saturdays, Sundays, National Holidays, or days preceding and following said Holidays, unless otherwise allowed by the Engineer.

The National holidays mentioned are listed below. These may or may not be the same as the state holiday.

NATIONAL HOLIDAYS:

New Year's Day, January 1
Martin Luther King's Birthday, the third Monday in January
Washington's Birthday, the third Monday in February
Memorial Day, the last Monday in May
Independence Day, July 4
Labor Day, the first Monday in September
Columbus Day, the second Monday in October
Veteran's Day, November 11
Thanksgiving Day, the fourth Thursday in November
Christmas Day, December 25

(3) Additional work restrictions, if any, will be noted on the SUPPLEMENT TO: Maintenance of Traffic Special Provision sheet(s).

Re: Juan Fernando -
Neighbor to the Neas as
No objection / (most affected
neighbor)

Ok to grant if
no objection from
neighbor

JF

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

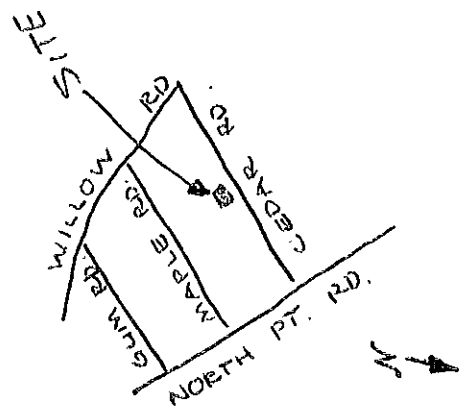
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 71612 CEDAR ROAD

Subdivision name: NORTASHIRE

plat book # 14, folio # 29, lot # 134, section #

OWNER: BERNIE CUMBERLAND
JULIE CUMBERLAND



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 12th
Councilmanic District: 17

1"=200' scale map#: SE 2-F

Zoning: DR 5.5

Lot size: 6250 square feet

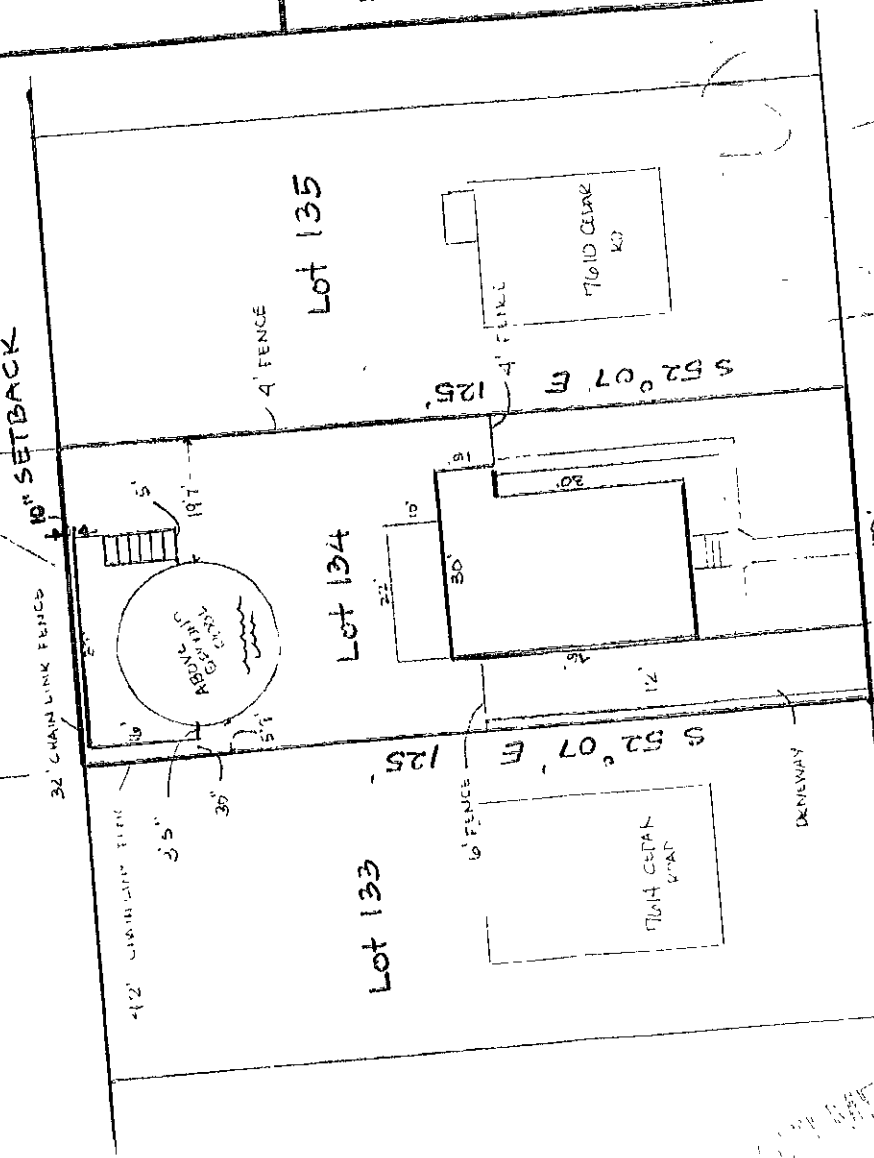
SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area:

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 4 CASE #:



450' ± Fr. & S 37° 53' W

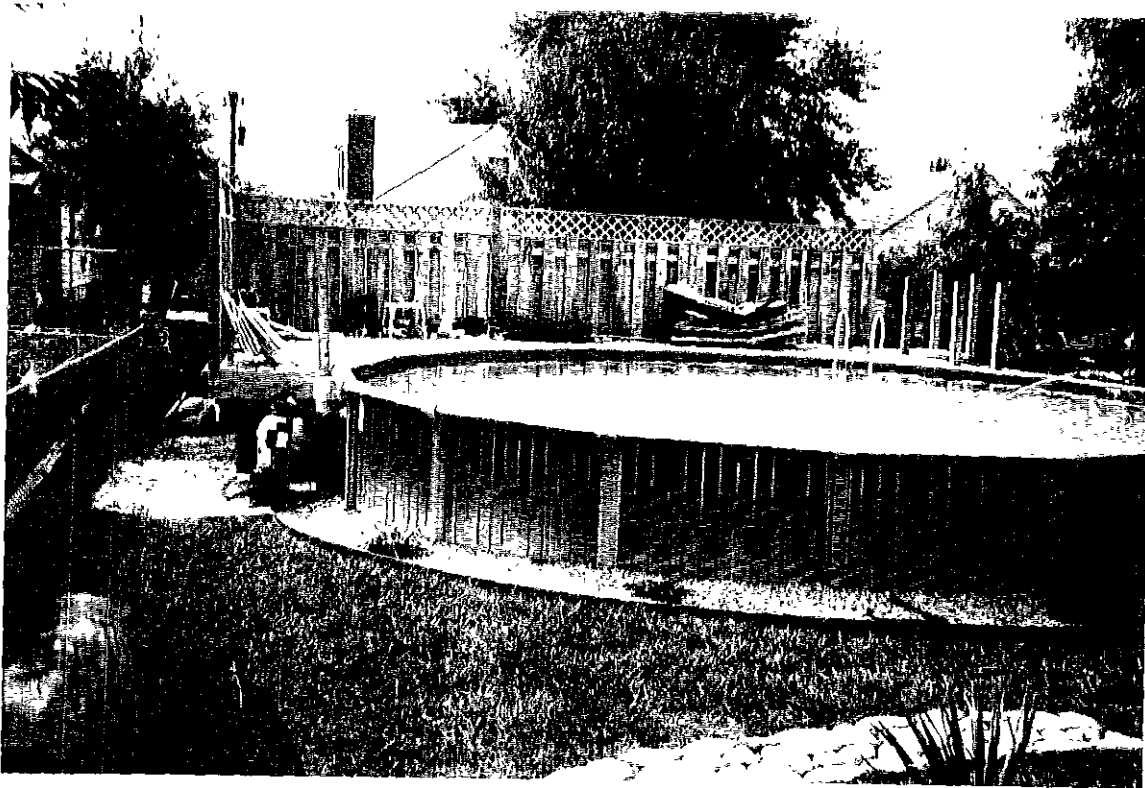
71612 CEDAR ROAD (50' WIDE)
of North Pt. Rd.

North

date: 7/26/96
prepared by: [Signature]

Scale of Drawing: 1"=30'

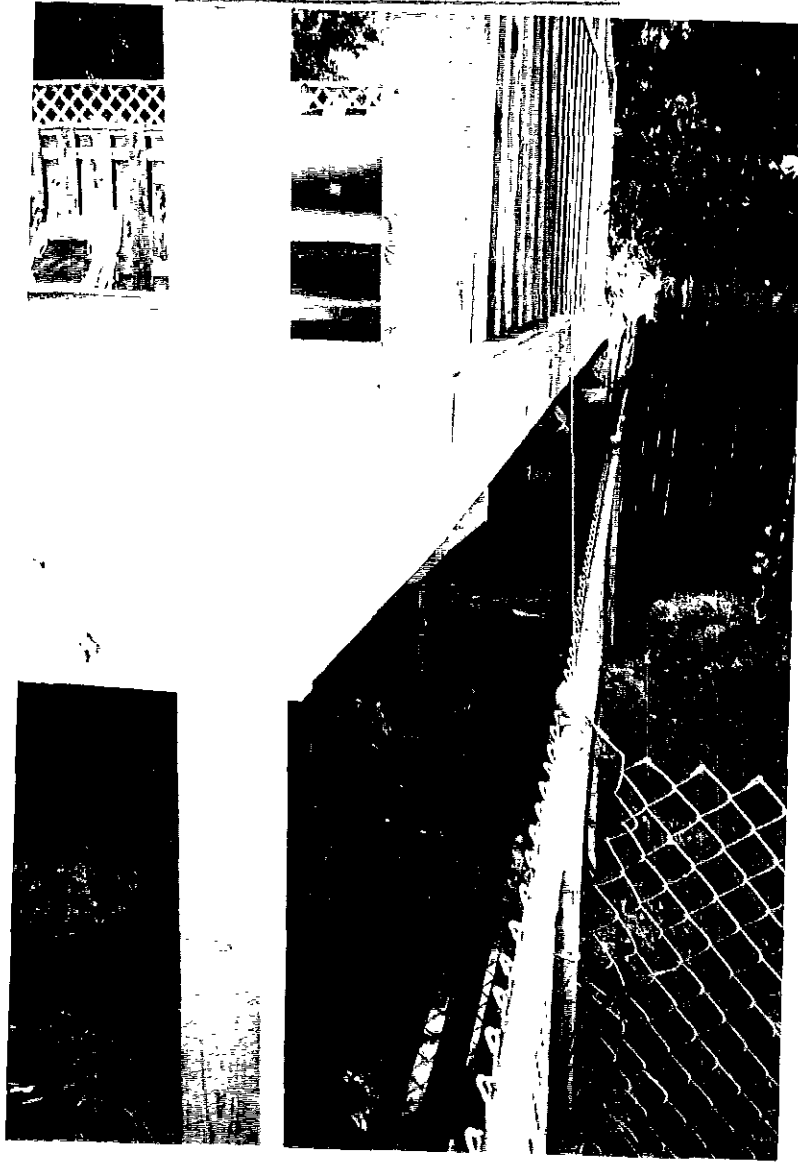
PETITIONER(S) EXHIBIT ()



- REAR YARD SHOWING DECK IN QUESTION
- SHOWING DISTANCE FOR FENCE

41

WILSON

PETITIONER(S) EXHIBIT ()

REAR YARD SHOWING DECK LOCATION
IN QUESTION 10" FROM NEIGHBOR'S
FENCE.

41

ENCLOSURE

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 7612 CEDAR ROAD 21222
(address)

Beginning at a point on the South East side of CEDAR RD.
(north, south, east or west)

name of street on which property fronts) which is 50 RIGHT OF WAY
(number of feet of right-of-way width)

wide at the distance of 450' South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street NORTH POINT ROAD
(name of street)

which is 50' wide. *Being Lot # 134,
(number of feet of right-of-way width)

Block ---, Section # --- in the subdivision of NORTH SHIRE
(name of subdivision)

as recorded in Baltimore County Plat Book # 14, Folio # 29.

containing 6250 S.F. Also known as 7612 CEDAR RD
(square feet or acres) (property address)

and located in the 12th Election District, 7 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

41

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-32-H

District 137E

Date of Posting 8/29/96

Posted for: Varney

Petitioner: Bernard W. & Deborah Cumberland

Location of property: 7612 Cedar Rd

Location of Sign: Facing 100' Hwy on property being zoned

Remarks: _____

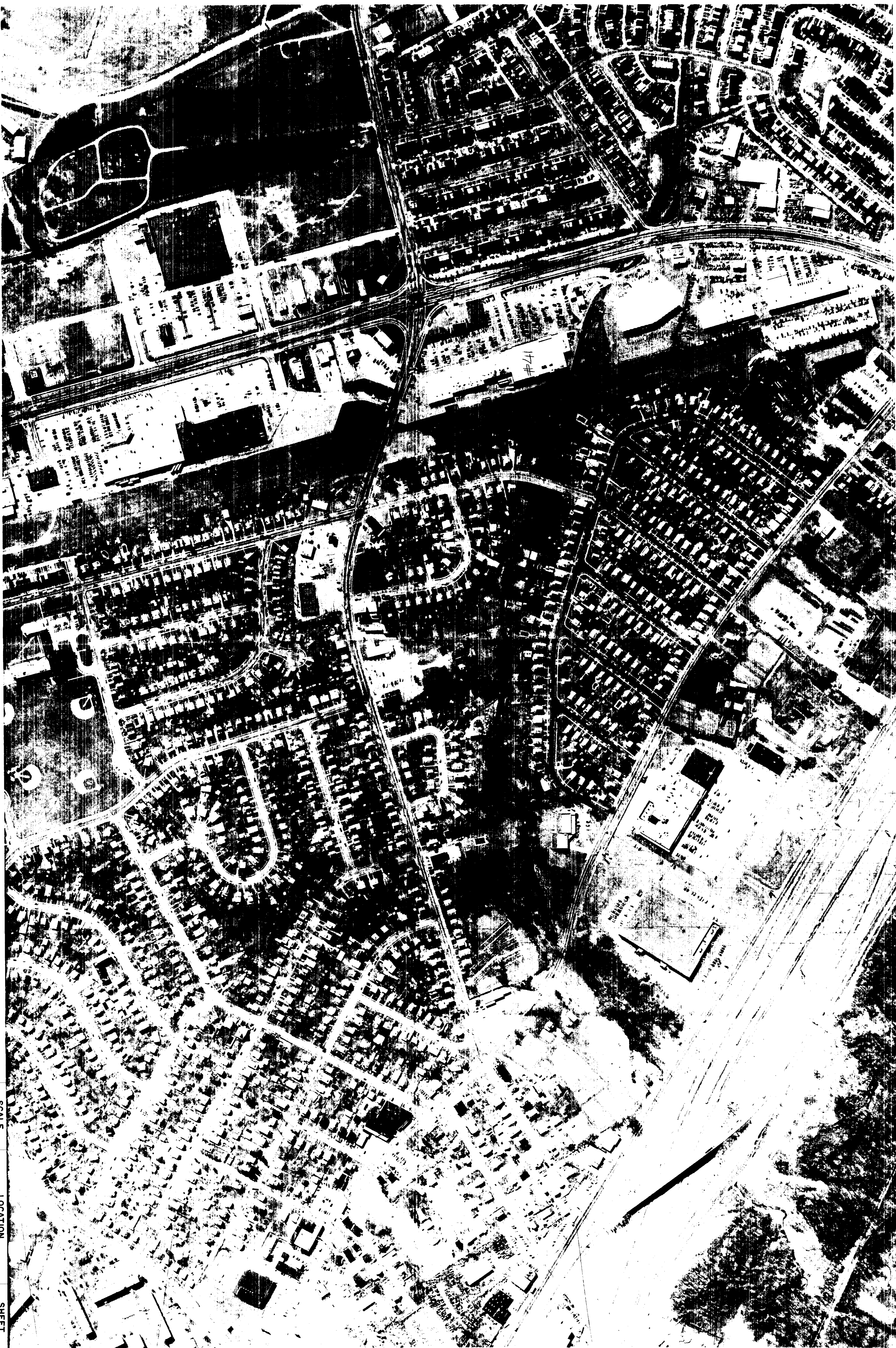
Posted by: M. H. H. H.
Signature

Date of return: 8/29/96

Number of Signs: 1

RECEIVED

97-32-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	NORTH POINT	S.E.
DATE OF PHOTOGRAPHY JANUARY 1986	GRAY MANOR	2-F
		MICROFILMED.

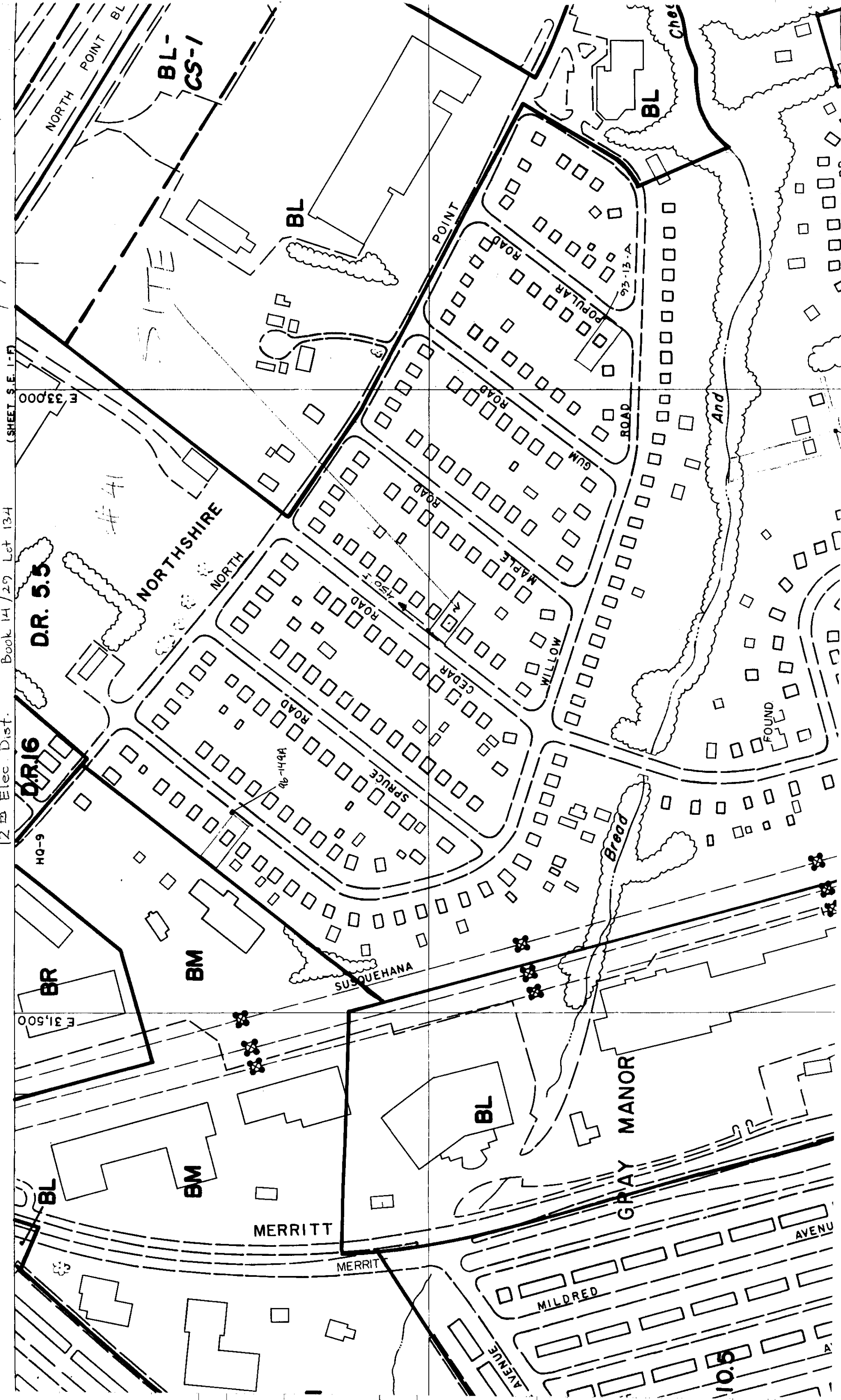
SE 2-F

1"=200' Balto. Co Zoning Map

12th Elec. Dist. Book 14/29 Lot 134

MICROFILMED

97-32-A



IN RE: PETITION FOR ADMIN. VARIANCE
SE/8 Cedar Road, 450' S of the
c/l of North Point Road
(7612 Cedar Road)
12th Election District
7th Councilmanic District
Bernard W. Cumberland, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-32-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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LAWRENCE E. SCHMIDT
Zoning Commissioner
For Baltimore County

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

August 20, 1996

(410) 887-4386

Mr. & Mrs. Bernard W. Cumberland
7612 Cedar Road
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/8 Cedar Road, 450' S of the c/l of North Point Road
(7612 Cedar Road)
12th Election District - 7th Councilmanic District
Bernard W. Cumberland, et ux - Petitioners
Case No. 97-32-A

Dear Mr. & Mrs. Cumberland:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7612 CEDAR RD. 21222
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and/or in the jurisdiction of the County, hereby petition for a Variance from Section(s) 400.1

To allow an accessory structure (pool & deck) with a setback of 10 inches in lieu of the minimum required setback of 2.5 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) CONSTRUCTED A FREE-STANDING DECK NEXT TO SWIMMING POOL AND 10' FROM PROPERTY LINE

* NEIGHBOR WHERE DECK IS 10'. HAS NO OBJECTIONS TO STRUCTURE.

* REMOVAL OF DECK WOULD BE A FINANCIAL BURDEN AS WELL AS PREVENTION AREA FOR KIDS.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Owner

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

BERNARD W. CUMBERLAND

(Type or Print Name)

Bernard W. Cumberland

(Signature)

JULIE L. CUMBERLAND

(Type or Print Name)

Julie L. Cumberland

(Signature)

7612 CEDAR RD. 410 887-8443

Address

BALTO MD 21222

City, State, and Zip Code

Name, Address and phone number of representative to be contacted

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for public hearing, advertised, and conducted in the Zoning Regulations of Baltimore County, at the location of public circulation through Baltimore County, and that the property be required.

REVIEWED BY: JP DATE: 7-26-96
ESTIMATED POSTING DATE: 8-4-96

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on Recycled Paper

ITEM #: 41

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 7612 CEDAR ROAD
BALTIMORE MD 21222

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

FREESTANDING WOOD DECK 10' FROM PROPERTY LINE
NEIGHBOR WHERE DECK IS 10' FROM PROPERTY LINE
HAS NO OBJECTIONS WITH STRUCTURE
REMOVAL OF DECK WOULD CAUSE FINANCIAL BURDEN AS WELL AS LOSS OF RECREATION AREA FOR KIDS

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Bernard W. Cumberland
Julie L. Cumberland
Affiant(s)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of JULY, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Bernard W. Cumberland Julie L. Cumberland
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.
7/26/96
Notary Public

My Commission Expires: 9/1/99

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK" Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 7612 CEDAR ROAD 21222
(address)

Beginning at a point on the South East side of CEAR RD.
(north, south, east or west)

which is 50' RIGHT OF WAY
(number or feet of right-of-way width)

name of street on which property fronts

wide at the distance of 450' South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street NORTH POINT ROAD
(name of street)

which is 50' wide. "Being Lot # 134,"
(number of feet of right-of-way width)

Block --- Section # --- in the subdivision of NORTH SHORE
(name of subdivision)

as recorded in Baltimore County Plat Book # 14, Folio # 29.

containing 6250 S.F. Also known as 7612 CEDAR RD
(square feet or acres) (property address)

and located in the 12th Election District, 7 Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber --- Folio ---" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N 87° 12' 13" E, 321.1 ft., S 18° 03' E, 87.2 ft., S 62° 19' 00" W, 318 ft., and N 08° 15' 22" W, 80 ft. to the place of beginning.

41

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District... 12th Date of Posting: 8/19/96

Posted for: Variance

Petitioner: Bernard W. & Julie L. Cumberland

Location of property: 7612 Cedar Rd.

Location of Sign: Posting, 100' long, 22' property boundary

Remarks:

Posted by: M. Hulse Date of return: 8/19/96

Number of Signs: 1



Baltimore County
Department of Permits and
Development Management

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 41 Petitioner: BERNIE CUMBERLAND

Location: 7612 CEDAR RD BALTO MD 21222

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BERNIE CUMBERLAND

ADDRESS: 7612 CEDAR ROAD BALTO MD 21222

PHONE NUMBER: (410) 289-0993

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-32-A (Item 41)
7612 Cedar Road
SE/5 Cedar Road, 450' +/- S of c/l North Point Road
12th Election District - 7th Councilmanic
Legal Owner(s): Bernard W. Cumberland and Julie L. Cumberland

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 4, 1996. The closing date (August 19, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Bernard and Julie Cumberland



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 12, 1996

Mr. and Mrs. Bernard W. Cumberland
7612 Cedar Road
Baltimore, MD 21222

RE: Item No.: 41
Case No.: 97-32-A
Petitioner: B. W. Cumberland, et ux

Dear Mr. Cumberland:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: *Aug 5, 96*

DATE: *Aug 8, 96*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *26*
27
29
30
31
32
34
36
37
40
41
42

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. *8-5-96*
041 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
DATE: August 1, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 18, 26, 29, 31, 32, 34, 35, 36, 37, 39, 40, *41*, and 42

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Lewis*

PK/JL

ITEM18/PZONE/TXTJWL

Mr. Jim Fernandez -
Neighbor to the rear as
No objection (wood affected
neighbor)
Ok to grant if
no objection from
neighbor
PK



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 7612 CEDAR ROAD
Subdivision name: NORTHSHIRE
plat book 14, folio 29, lot 134, section 1
OWNER: BERNIE CUMBERLAND
JULIE CUMBERLAND

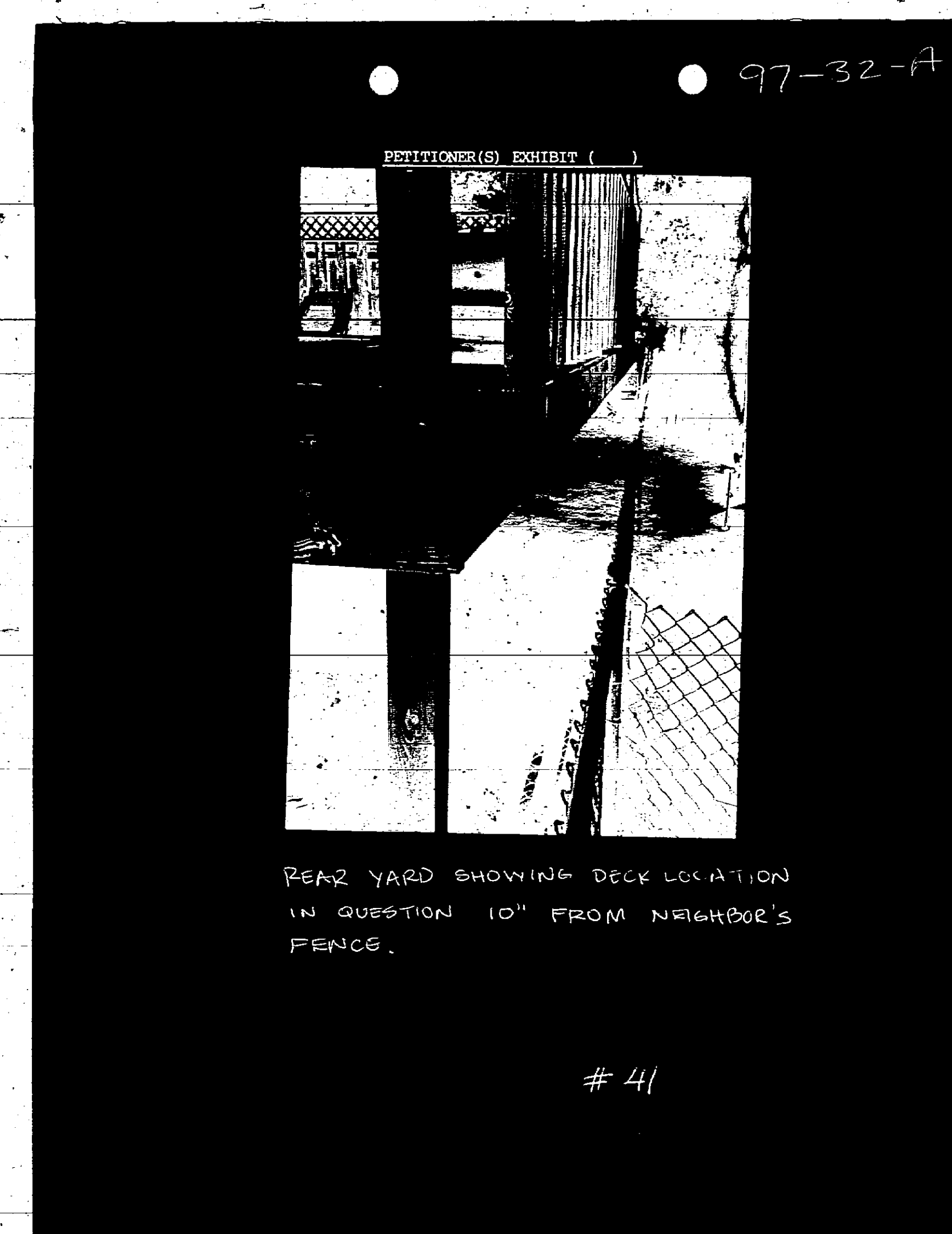
Lot 116
Lot 133
Lot 134
Lot 135

450' ± F.E.
North Pt. Rd.
7612 CEDAR ROAD (50' WIDE)
Scale of Drawing: 1"=30'

North
date: 7/26/36
prepared by: [signature]

LOCATION INFORMATION
Election District: 12th
Councilmanic District: 7
1"=200' scale map: SE 2-F
Zoning: DR 5.5
Lot size: 6250 square feet
acreage
SEWER: ☒ private
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: [signature] ITEM #: 41 CASE #:



97-32-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	NORTH POINT GRAY MANOR	S.E. 2-F
DATE OF PHOTOGRAPHY JANUARY 1986		